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on PTO-948 accompanying the Examiner's Action. Because the objections are formal in nature, Applicant requests that the requirement for formal drawings be held in abeyance until issuance of a Notice of Allowance, at which time, Applicant will submit formal drawings overcoming the objections.

In paragraph 2 of the Office Action, the Examiner objected to the drawings under 37 C.F.R. § 1.84(p)(5) stating that the drawings do not include the following reference sign(s) mentioned in the description: 20 and 108. Accompanying this Amendment is a Request for Authorization to Change Drawings and proposed drawing corrections for FIGS. 2 and 6 adding those reference numerals with the changes indicated in red ink.

In paragraph 3 of the Office Action, the Examiner objected to the drawings under 37 C.F.R. § 1.84(p)(5) stating that the drawings include reference nos. 1-5, 7, and 9 which are not mentioned in the description. The Request for Authorization to Change Drawings will propose drawing corrections to FIG. 1 in which reference nos. 1-5, 7, and 9 will be deleted.

In paragraph 4 of the Office Action, the Examiner objected to the drawings under 37 C.F.R. § 1.84(p)(5) stating that FIG. 10 does not include the abbreviation line. The Request for Authorization to Change Drawings will propose drawing corrections to FIG. 10 in which the abbreviation line will be added.

In paragraph 5 of the Office Action, the Examiner objected

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to the Title of the Invention. By this Amendment, the Title of the Invention has be changed to "DEVICE AND METHOD FOR RELIEVING FLOODING FROM ENCLOSED SPACE". Applicant is grateful to Examiner's helpful suggestion regarding a new title, and Examiner's suggestion has been substantially incorporated. However, not all of the suggestions have been incorporated because Applicant believes that portions of the terminology suggested are overly limiting.

In paragraph 6 of the Office Action, the Examiner objected to the specification stating that "'at least one catch' as recited in claim 5, at line 3 does not have clear antecedent basis for the terminology in the specification." Applicant notes that on page <sup>5</sup>/<sub>4</sub>, lines <sup>15-16</sup>/<sub>30-31</sub> the language "the use of collapsible catches" is included. Also, on page <sup>6</sup>/<sub>5</sub>, line <sup>5</sup>/<sub>16</sub> the language "at least one catching assembly" is used. This language, in addition to the language of the Claim 5 makes clear that, although one catch is used in a preferred embodiment, more than one catch can also be used.

With regard to paragraph 7 of the Office Action, Applicant has amended page 2, line 14 of the Specification to read "No. 3,680,329". Examiner's helpful suggestion in this regard is appreciated.

In paragraph 8 of the Office Action, the Examiner objected to Claims 2-6 and 8-10 because these dependent claims were

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introduced by the article "A" instead of "The". By this Amendment, Applicant has amended Claims 2-6 and 8-10 to recite "The ..." instead of "A ...". However, Examiner is referred to MPEP 608.01(n). Under the heading of "ACCEPTABLE MULTIPLE DEPENDENT CLAIM WORDING", the following claim language is recited "A gadget according to claims 3 or 4", "A gadget as in either claim 1 or claim 2", and "A gadget as in claim 1". Attention is also made to U.S. Patents No. 4,754,696 and 4,699,045 both cited as prior art by the Examiner. Claim 2 of 4,754,696 recites "An automatic ventilator as defined in claim 1" and Claim 2 of 4,699,045 recites "A structure according to claim 1". Given past practice, Applicant submits that use of "A" instead of "The" to initiate a dependent claim does not constitute grounds to object to a dependent claim as being informal.

The Examiner also objected to "said louver assembly" found in Claim 4, line 1. By this Amendment, Applicant has amended Claim 4 to recite "said automatic louver assembly". With regard to "utidal" found in Claim 10, line 3, Applicant has amended Claim 10 to recite "tidal". By these amendments, Examiner's objections to the claims stated in paragraph 8 of the Office Action has been traversed.

In paragraphs 9-10 of the Office Action, the Examiner rejected Claims 1-6 under 35 U.S.C. § 112, second paragraph. With regards to Claims 1 and 6, the Examiner stated:

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Re claims 1 and 6: The phrase, "and the like" in claim 1, line 1 and 12-13; in claim 6, line 6 and 7 respectively renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "and the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Re claim 6: The limitation, "said screen" lacks clear antecedent basis. The claim appear to be dependent upon claim 2, it is suggested to be --said screen covering-- for clarity.

Applicant has amended Claims 1 and 6 to recite "enclosed space" instead of "foundation crawl space and the like".

Applicant notes that the use of the term "enclosed space" has been previously used in Claim 7. Applicant has also added Claim 11 which recites that "said enclosed spaced is a foundation crawl space."

With regard to Claim 6, Applicant has amended Claim 6 to depend upon Claim 2 so as to provide antecedent basis for "said screen". Examiner's helpful suggestion in this regard is appreciated. However, Examiner's suggestion that Claim 6 be amended to recite --said screen covering-- is not appropriate with regard to this claim. Although "covering" can be considered a feature, in the instance of Claim 6, "covering" is not considered a feature, but instead "covering" is used to describe the relationship between the screen and the opening (i.e. the screen covers the opening). As such, the objections to the claims under 35 U.S.C. § 112, second paragraph have been traversed.

With regard to paragraph 11 of the Office Action, Applicant is pleased to note that Claims 1-6 would be allowable if

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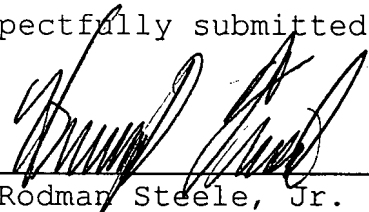
rewritten to overcome the rejection(s) under 35 U.S.C. § 112 set forth in the Office Action. Because Claims 1-6 have been amended to overcome the 35 U.S.C. § 112 rejection, Claims 1-6 should be in condition for allowance.

With regard to paragraph 12 of the Office Action, Applicant is pleased to note that Claims 7-10 are allowable over the prior art of record.

Applicant has made every effort to present allowable claims and it is believed that all claims are in condition for allowance. Accordingly, and in view of the foregoing remarks, Applicant hereby respectfully requests reconsideration and prompt allowance of the pending claims.

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Respectfully submitted,



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